## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS CENTRAL DIVISION

LOUIS P. ALBERGHINI,	CIVIL ACTION NO. 04-40092-FDS
Plaintiff,	Jonathan R. Sigel BBO# 559850 Marcia L. Elliott, BBO# 564291
v.	
SIMONDS INDUSTRIES INC.,	
Defendant. )	
)	

## STIPULATION OF DISMISSAL OF DEFENDANT'S COUNTERCLAIM WITH PREJUDICE

The parties to the above-entitled action, pursuant to the provisions of Fed.R.Civ.P. 41(a)(1), hereby stipulate that Defendant Simonds Industries Inc.'s counterclaim be dismissed, with prejudice and without costs.

SIMONDS INDUSTRIES INC.

By its attorney,

Jonathan R. Sigel, BBO# 559850

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LOUIS P. ALBERGHINI

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Date: October <u>///</u>, 2006